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LETTER DATED 13 OCTOBER 1977 FROM THE PERMANENT REPRESENTATIVE
OF BENIN TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF
THE SECURITY COUNCIL

In accordance with the provisions of paragraph 7 of Security Council resolution 405 (1977) concerning the aggression against the People's Republic of Benin, a team of expert consultants composed of Mr. Aly Assem and Mr. Marcel Kheir visited Cotonou from 27 June to 26 July 1977 to assist the Beninese Government in evaluating the damages resulting from the act of armed aggression committed at Cotonou on 16 January 1977.

The two expert consultants submitted their reports to the Beninese Government on 12 September 1977. On the basis of these reports and of the statistical data now available, the Beninese Government has revised the contents of the evaluation report issued as a Security Council document on 5 April 1977 under the symbol S/12318/Add.1.

I have the honour to transmit herewith our revised report, to which are annexed the two reports of the expert consultants.

I should be grateful if you would arrange for my letter, the revised evaluation report and the reports of the two expert consultants to be circulated as documents of the Security Council.

REVISED REPORT ON THE EVALUATION OF DAMAGES AND LOSSES
OF VARIOUS KINDS OCCASIONED TO THE PEOPLE'S REPUBLIC
OF BENIN DURING THE IMPERIALIST AGGRESSION OF SUNDAY,
16 JANUARY 1977

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INTRODUCTION

In accordance with paragraph 7 of Security Council resolution 405 (1977), two expert consultants chosen by the Secretary-General and approved by Benin, Mr. Marcel Kheir of Lebanon and Mr. Aly Assem of Egypt, visited Benin from 27 June to 26 July 1977 in order to help the Government of the People's Republic of Benin to evaluate the damage of various kinds occasioned by the aggression of Sunday, 16 January 1977.

The two experts worked in close and open co-operation with the Beninese experts in the National Evaluation Commission.

The two expert consultants submitted their reports on 12 September 1977 (see annexes 1 and 2). The Beninese Government thanks the Secretary-General most sincerely and, through him, Mr. Marcel Kheir and Mr. Aly Assem for the work which they did in the People's Republic of Benin to help our own experts in the National Evaluation Commission to evaluate more accurately the damage and consequences of various kinds caused by the imperialist aggression of Sunday, 16 January 1977.

On the basis of the reports of the two expert consultants and of the available statistics, the Beninese Government has ordered its own experts to conduct a systematic revision of the evaluation of the damages and losses of various kinds occasioned by the imperialist aggression of Sunday, 16 January 1977.

The present revised report replaces our national evaluation report issued as document S/12318/Add.1 of 5 April 1977.

This report follows the plan indicated below:

- I. MATERIAL DAMAGE
- II. DAMAGE TO PERSONS
- III. EFFECTS OF THE AGGRESSION ON THE NATIONAL ECONOMY
 - Agricultural production
 - Industry and trade
 - Public services and administration
- IV. EXPENDITURE ON SECURITY

In addition to causing the material damage and damage to persons which can be seen on the spot, the aggression of Sunday, 16 January 1977 left a profound mark on all sectors of the economy. It disturbed and actually disorganized national economic activities; after the event, the Beninese authorities are becoming increasingly aware of the extent of the damage caused and its repercussions on the whole of the economy. It is clear that the gaping wounds left by this armed

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aggression are growing larger and deeper as a result of the bad weather and other natural climatic phenomena.

The damages and direct and indirect repercussions on the Beninese economy will never be completely evaluated to the full and entire satisfaction of the Beninese people who suffered this aggression and are still living with its traces and its consequences every day.

I. MATERIAL DAMAGE

Considerable material damage was found both to public and private buildings and to equipment of the national security forces.

1. Damage to buildings

(a) Public buildings

The work of systematic destruction carried out by the mercenaries was directed mainly at public buildings which were pounded with mortar fire and literally bombarded by ultra-modern weapons. This barbarous aggression resulted in the collapse of the walls of these buildings, the shattering of the glass of doors and windows, the demolition of stone floors, railings, etc. and various installations.

The buildings attacked were as follows:

- The Palace of the President of the Republic
- The Congress Hall
- The Hotel "Croix du Sud"
- The houses of the Conseil de l'Entente
- The building of the Ministry of the Interior
- The Radio building
- The Television building
- The building of the Benin Social Security Office
- The Central Treasury
- The SONAGRI building
- The building of the Ministry of Foreign Affairs
- The buildings of COTONOU Airport
- The BCEAO villas
- The ASSANI polyclinic
- The "Quarante Logements" building

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- The Cadjehoun Tax Collection building
- The Embassy of NIGERIA
- The Embassy of ZAIRE
- The Residence of the Ambassador of the United States.

(b) Private buildings

The private buildings situated in neighbourhoods near the airport (Haie-Vive and Cadjehoun) were also subjected to mortar fire, and bullets caused some damage and provoked panic among the peaceful inhabitants who were just waking up.

Altogether, the damage to public and private buildings described above is estimated at 225,544,625 CFA francs.

2. Damage to equipment of the national security forces

This involves the material losses suffered by the People's Armed Forces.

The losses were considerable:

- One command aircraft disabled
- Two DC-3/C-47 aircraft damaged
- Several pieces of military equipment seriously damaged or destroyed
- Ground installations of National Escadrille
- Expenditure and loss of munitions of various kinds
- Consumption of essential materials.

The estimate of these losses amounts to: 596,045,000 CFA francs.

The total material losses are estimated at 225,544,625 CFA francs plus 596,045,000 CFA francs, making altogether 821,589,625 CFA francs.

II. DAMAGE TO PERSONS

The damage sustained by the People's Republic of Benin as a result of the imperialist aggression of 16 January 1977 is not limited to material damages. It also includes loss of human lives and bodily injury to many Beninese and foreigners.

To evaluate losses in terms of human life is difficult, for the value of human life is inestimable, human beings constituting the most precious form of capital. Nevertheless, it is universally recognized that such losses are subject to evaluation and that an effort must be made, in accordance with both national and international legal norms to re-establish, as exactly as possible, the balance destroyed by the damage and to place the victim in the situation in which he would have been if the wrongful act had not taken place.

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The casualties determined so far by our country include both members of the People's Armed Forces of Benin and civilian victims, as follows:

SEVEN (7) dead or missing;

FIFTY-ONE (51) wounded.

In evaluating the damage sustained by the People's Republic of Benin, the rights both of the victims and of those referred to as their "dependants" (spouses, ascendants, descendants and near relations) should be taken into account to the fullest extent.

1. The wounded (Annex 3)

The damages sustained by these victims of the imperialist aggression of 16 January 1977 include:

Costs of hospitalization and treatment;

Compensation in respect of their incapacités totales temporaires (total temporary disabilities) (ITT);

Compensation in respect of their incapacités permanentes partielles (partial permanent disabilities) (IPP), that is diminution of physical, psychosensory or intellectual potential resulting from bodily injury;

Compensation in respect of pretium doloris (the "price of suffering") intended as compensation for the physical sufferings endured by the victims;

Damages and interest in respect of aesthetic damages, damage to amenities, special damages, etc. ...;

Damages and interest to be awarded to the families of all the victims (spouses, children, etc. ...).

2. The dead and missing

The reparations for damages evaluated here in respect of persons registered as dead or missing concern in particular the families of the victims: spouses, children who have attained their majority and minor children, other relations and dependants. This damage is essentially of two kinds:

First, the material damage resulting from the loss of resources which such relations could formerly expect from the victim, who supported them;

Second, the moral damage resulting from the emotional loss occasioned by the death.

Considering the age of the victims, their personal and family situations and the extent of the damage set forth above, a just and reasonable estimate, covering

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all the claims for damage, would be 112 million CFA francs, which is the indemnity due for the damage suffered by persons as a result of the armed aggression of 16 January 1977 at Cotonou.

III. EFFECTS OF THE AGGRESSION ON THE NATIONAL ECONOMY

The cowardly, criminal and barbarous aggression of Sunday, 16 January 1977 against our country has had and will continue to have serious disturbing effects on different sectors of economic life; they have already manifested themselves in the form of considerable losses of earnings and unforeseen expenses.

A. AGRICULTURAL PRODUCTION

The damage suffered in agricultural production by our country is substantial and serious, and its consequences will persist for a long time. It should be recalled that when international imperialism launched the cowardly and barbarous aggression of Sunday, 16 January 1977, against our country, the working people of our country were preparing to start the second year of the campaign of production on the basis of the experience acquired during the first year.

We must consider several levels of damage suffered by our country, bearing in mind the fact that we are situated in a region where climatic variations can seriously disturb forecasts. Since such uncontrollable factors did not come into play during the second agricultural campaign, we are justified in asserting, in view of the high degree of mobilization and the determination of our masses, that our expectations should have been greatly exceeded.

(a) Loss of production by the People's Armed Forces

In conformity with the motto of our avant-garde Party, the Party of the People's Revolution of Benin, all the social strata of the nation, including the People's Armed Forces, are expected to devote themselves to production.

Thus the quota assigned to the People's Armed Forces could not be met.

(b) State companies, public services and private enterprises

The personnel of these production units were expected, in addition to their usual work, to contribute to agricultural production, in accordance with precise objectives.

The task of guarding buildings and materials in order to prevent sabotage forces the persons concerned to restrict their activities and thus devote their efforts almost entirely to the day and night shifts.

(c) The labouring masses of our fields

Not only was the psychological atmosphere scarcely conducive to production (fear of the invader), but in addition the masses had specific tasks to perform for security in villages, along roads, etc.

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All of these activities diminished the time they spent in the fields and thus diminished our natural production.

As an example, for our 3,000 villages and quarters, at the rate of thirty (30) persons per day and 0.3 working days per person for 200 days, there has been a loss of 5,400,000 working days. If the lost time had been devoted to production, very substantial increases in our production could have been made.

(d) Lastly, comparative production tables showing the forecasts and actual outputs for the year 1977 enable us to estimate the direct losses suffered in agriculture by our militant people.

The tables given below show that, taking account of climatic variables and the usual rates of realization of production forecasts, the total amount of the shortfall for 1977 is 4,563,928,000 CFA francs.

	Forecast yield in metric tons	Actual yield in metric tons	Loss in metric tons	Price in metric tons	Loss in CFA francs
Maize	198,654	142,085	56,569	30,000	1,697,070,000
Sorghum	73,521	68,971	4,550	20,000	91,000,000
Rice	23,709	16,842	6,867	36,000	247,212,000
Yams	573,782	565,882	7,900	20,000	158,000,000
Manioc	528,890	512,003	16,887	8,000	135,096,000
Peanuts	62,727	37,782	24,945	40,000	997,800,000
Cotton	39,639	16,772	22,867	50,000	1,143,350,000
Tobacco	1,068	124	944	10,000	94,400,000
TOTAL					4,563,928,000

Sources: DEP Ministry of Rural Development and Co-operative Action, September 1977.

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B. INDUSTRY AND TRADE

1. LOSSES OF SBEE (SOCIÉTÉ BENINOISE D'ELECTRICITÉ ET D'EAU - BENINESE ELECTRICITY AND WATER COMPANY)

Since the aggression of 16 January 1977, the power station of the Société Beninoise d'Electricité et d'Eau (SBEE) has been taking over from the Akossombo Hydroelectric Plant between 7 p.m. and 7 a.m. as a security measure.

The Cotonou power line, 14 kilometres from Akossombo, measures 312 kilometres, of which 222 kilometres are outside Beninese territory. These 222 kilometres are vulnerable and can be sabotaged at any time, hence the need to take a minimum of security measures.

As SBEE has not increased its rates, it is selling energy at a loss.

The energy produced by the power station costs 46 francs per Kwh (fuel oil costs 55 francs a litre).

Minimum production between 7 p.m. and 7 a.m. is 60,000 Kwh.

Average production is 84,450 Kwh.

For the period from 16 January 1977 to 30 September 1977 (258 days), the minimum loss over 200 days was:

$(46 \text{ F} - 25 \text{ F}) \times 60,000 = 252,000,000 \text{ CFA francs.}$

This loss is a serious blow to the development of SBEE.

Moreover, 60 million CFA francs have been invested in the purchase of automatic emergency units installed in strategic areas.

Total losses:

$252 + 60 = \underline{312 \text{ million CFA francs.}}$

2. LOSSES OF CIVIL AVIATION, THE OFFICE NATIONAL DU TOURISME ET DE L'HOTELLERIE (ONATHO) AND UNFORESEEN PUBLIC SPENDING

These are the economic sectors mentioned in annex 1 of this report. The drop in aviation earnings following the imperialist aggression of 16 January 1977, the shortfalls suffered by ONATHO and the money which our country spent on the numerous delegations which stayed at Cotonou following the aggression of 16 January 1977 have been evaluated at 117,825,642 CFA francs.

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3. LOSSES OF OBECI (OFFICE BENINOIS DU CINÉMA)

OBECI suffered losses as a result of the drop in attendance at its cinemas.

The following table gives an adequate indication of OBECI losses by comparison with 1976:

Month	Takings	Variation in relation to the reference month	Cumulative shortfall
December (reference month and ordinary average monthly takings)	9,535,905	-	-
January	8,842,020	693,885	693,885
February	7,108,430	2,427,475	3,121,360
March	6,907,120	2,628,785	5,750,144
April	6,753,175	2,782,730	8,532,875
May	8,371,065	1,164,840	9,697,715
June	8,444,540	1,091,365	10,789,080
July (situation back to normal)	9,007,265	528,660	<u>11,317,740</u>

C. LOSSES OF THE PUBLIC SERVICES AND FIRMS IN GENERAL

In response to the general mobilization order issued by the President of the Republic and Supreme Head of the Armed Forces, all public services and firms stayed in operation for 24 hours a day. For workers this represented about 17 hours overtime a day during the first three (3) months and 11 hours during the following months, and required at least seven persons. Some production units required 20 to 25 people in order to operate around the clock.

On the basis of a rate of pay of 192 francs per hour of overtime - not counting holidays, where the number of overtime hours was higher - for 210 public services and firms in the coastal towns of Cotonou, Porto-Novo, Abomey-Calavi, Houlenou (15 Ministries, 100 departments and services, 45 public firms, 50 private firms), the minimum loss suffered by workers, services and firms totals:

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Between 16 January 1977 and 16 April 1977:

192 x 7 x 17 x 90 x 210 = 431,827,200

and between 16 April 1977 and 30 September 1977:

192 x 7 x 11 x 168 x 210 = 521,579,520

i.e. = 953,406,720

IV. EXPENDITURE ON SECURITY

The Beninese State has been obliged to divert considerable resources for general mobilization of security forces throughout the national territory. On the basis of statistics now available, unforeseen expenditures incurred in this particular sector total approximately 102,621,143 CFA francs.

CONCLUSION

Taking the above evaluations into account, the direct and indirect losses incurred as a result of the imperialist aggression of Sunday, 16 January 1977 total 6,994,688,870 CFA francs, i.e.:

\$US 28 million

It will never be possible to calculate the entire losses incurred by our revolutionary State. Since 16 January 1977, our country, the People's Republic of Benin, has been the subject of an all-out smear campaign. The very people who organized and financed the aggression immediately afterwards launched a vast operation of fabrication and mystification with the twofold aim of covering up their crime and discrediting our country.

Having failed in their armed aggression, and determined to pursue their diabolical efforts to sabotage the revolutionary process in our country and perpetuate the exploitation of our wealth, they are making every effort to hatch economic and financial plots. Thus, the vast smear campaign has, inter alia, completely transformed our trade and financial relations with some of our partners.

Most of the suppliers' credits already granted or under negotiation have been discontinued, our importers are given no margin for payment and have to pay for all imports of goods and services in cash. All our suppliers insist that we open a documentary credit confirmed by one of their national banks, thus forcing our national banks to release and immobilize considerable funds abroad.

The repercussions on our investment programmes are incalculable, for many of our current negotiations have been frozen. There too, suppliers' credits are being discontinued and even international financial institutions have decided to wait and

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see how the situation evolves. The same aggressors use their influence within these financial institutions to sabotage the implementation of our development projects.

In addition, the technical assistance personnel from friendly countries, who were direct witnesses of the events, now hesitate to continue their missions. This has been a traumatic experience for our people and for the nationals of those countries who came to support our efforts. This situation explains the numerous problems we are having at the beginning of the new academic year, so that we have been forced to postpone major reforms of the educational and teaching system.

How can we evaluate the loss of human lives? How can we evaluate, for example, the sudden disappearance of a father of eight young children? How can we evaluate the loss to our nation resulting from the massacre of its best sons, precisely those who by their supreme sacrifice showed the extent of their self-denial in the struggle to build their country and strengthen international peace?

The slave trade deprived our country of its strongest men. Today, imperialist aggressors cut down in cold blood some of those who seek to take up the challenge directed at Africa and the third world.

These are just some instances of the grave moral harm inflicted on our hard-working people by the imperialist aggression of 16 January 1977. Let the international community measure their cost. We, for our part, shall defer to its wisdom.

Annex 1

Report by Mr. Aly Assem on material damage

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Cairo, 23 August 1977

Sirs,

I have the honour to transmit herewith a copy of my report, prepared pursuant to paragraph 7 of Security Council resolution 405 concerning the evaluation of the damage suffered by the People's Republic of Benin following the aggression of 16 January 1977.

Accept, Sirs, the assurances of my highest consideration.

(Signed) Aly ASSEM

N.B. The original copy of this report has been sent to the National Commission.

Office of Technical Co-operation
United Nations
New York

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Report submitted to the Beninese Government by Mr. Aly H. Assem in pursuance of paragraph 7 of resolution 405 (1977) adopted by the Security Council on 14 April 1977. Report concerning the material damage resulting from the aggression of 16 January 1977

INTRODUCTION

1. Resolution 405 (1977), adopted on 14 April 1977 by the Security Council, in paragraph 7 requested the Secretary-General to provide appropriate technical assistance to help the Government of Benin in assessing and evaluating the damage resulting from the act of armed aggression committed in Cotonou on 16 January 1977.
2. In implementation of this resolution the competent United Nations office entrusted to me by contract dated 24 June 1977 the following task:

"As a member of a damage/loss assessment team, the expert will advise the Government of Benin on damages arising from damage to buildings and related items during the armed aggression against Cotonou on 16 January 1977."

3. In order to fulfil this task, I spent four weeks in Cotonou, from 30 June to 28 July 1977.

During that mission, I collaborated closely with the members of the Beninese National Commission in order to estimate the damage of various kinds to public and private buildings resulting from the aggression of 16 January 1977; the preliminary evaluation report was published by the Security Council in document S/12318/Add.1 dated 4 April 1977.

I should like to take this opportunity to thank the National Commission, and H.E. Ambassador Thomas Boya, Permanent Representative of the People's Republic of Benin to the United Nations, for their generous co-operation during my mission.

4. The day after my arrival, H.E. President Mathieu Kérékou, Head of State and Government of the People's Republic of Benin, did me the honour of receiving me and of making a statement, of which I attach the text.

(Extract from the Beninese newspaper Ehuzu of 4 June 1977)

DIRECT DAMAGE

Material damage to buildings

5. I visited all the buildings damaged by the aggression of 16 January 1977.

Public and private buildings in several sectors of the town have been damaged by modern arms fire.

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The public buildings attacked were as follows:

- The Palace of the President of the Republic
- The Congress Hall
- The Hotel "Croix du Sud"
- The houses of the Conseil de l'Entente
- The building of the Ministry of Foreign Affairs
- The building of the Ministry of the Interior
- The Radio building
- The Television building
- The building of the Benin Social Security Office
- The Central Treasury
- The SONAGRI building
- The buildings of COTONOU Airport
- The BCEAO villas
- The ASSANI polyclinic
- The "Quarante Logements" building
- The Cadjehoun Tax Collection building
- The Embassy of NIGERIA
- The Embassy of ZAIRE
- The Residence of the Ambassador of the United States

I have assessed the damage to these buildings.

And I have estimated the damage at 224,318,679 CFA francs.

Thirteen private houses were also damaged.

I have estimated the damage at 1,225,625 CFA francs.

Altogether, the material damage to public and private buildings was estimated at 225,544,304 CFA francs.

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INDIRECT DAMAGE

The aggression against Cotonou had disturbing effects on different sectors of economic life, resulting in unforeseen expenses.

These expenses have been estimated at 117,825,642 CFA francs.

Altogether, damage to buildings and these expenses amount to 343,369,946 CFA francs.

I am prepared to place all the details and basic calculations I have made for this assessment at the disposal of the Beninese National Commission, which I thank sincerely for its courtesy and its full co-operation during the accomplishment of my task.

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Annex 2

Report by Mr. Marcel Kheir on damage to persons

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Beirut, 30 August 1977

Sir,

In conformity with the mission entrusted to me by the United Nations Office of Technical Co-operation, I have the honour to submit to you herewith my report concerning the evaluation of the damage to persons caused by the armed aggression at Cotonou of 16 January 1977. A copy of this report has been dispatched by the same post to the said Office at New York.

I am sincerely grateful for the courteous hospitality which I received and for the full co-operation extended to me by all concerned.

Accept, Sir, the assurances of my highest consideration.

(Signed) Marcel KHEIR

His Excellency Mr. Thomas BOYA
Ambassador of the People's Republic
of Benin
Washington

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REPORT TO THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF BENIN
CONCERNING DAMAGE TO PERSONS CAUSED BY THE ARMED AGGRESSION
AT COTONOU ON 16 JANUARY 1977

by Marcel Kheir

Beirut, Lebanon, 30 August 1977

Report submitted to the Government of the People's Republic of
Benin in pursuance of resolution 405 (1977), adopted by the
Security Council on 14 April 1977

Report concerning damage to persons caused by the
aggression of 16 January 1977

I. INTRODUCTION

(1) In paragraph 7 of resolution 405 (1977), adopted on 14 April 1977, the Security Council requested the Secretary-General "to provide appropriate technical assistance to help the Government of Benin in assessing and evaluating the damage resulting from an act of armed aggression committed in Cotonou on 16 January 1977".

(2) In accordance with that resolution, the Office of Technical Co-operation entrusted us, by a contract dated 24 June 1977, with the following mission: "As a member of a damage/loss assessment team, the expert will advise the Government of Benin on damages arising from loss of life during the armed aggression against Cotonou on 16 January 1977".

(3) In fulfilment of this mission, we spent four weeks at Cotonou, from 27 June to 26 July. During the mission, we collaborated closely with the members of the National Commission which had previously been set up by the Beninese Government to assess damages and losses of various kinds resulting from the said aggression. The estimates prepared by this Commission were submitted to the Security Council in a letter dated 4 April (S/12318/Add.1). We are pleased to acknowledge the full co-operation given by these gentlemen and by H.E. Ambassador Thomas Boya, Permanent Representative of the People's Republic of Benin to the United Nations, at all stages of our mission.

(4) After our arrival, we had the honour of being received by H.E. President Mathieu Kérékou, Head of State and Government of the People's Republic of Benin. During this interview, he delivered the speech published in the Beninese newspaper Ehuzu on 4 July 1977 (copy attached).

II. METHODS OF EVALUATION

(5) There were two possible methods of evaluating the damage resulting from the act of armed aggression of 16 January. The first derives from political considerations, in all senses of the term. In the circumstances, this political approach would certainly be legitimate, and perhaps fully appropriate, given the political nature of the said aggression and the circumstances surrounding it. The second method may be defined as that used by insurance companies in estimating compensation claimed by clients who have suffered accidents.

(6) It is clear that very different results will be obtained from these two methods, since the first involves implications and repercussions which may be only

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indirectly or even distantly connected with the event which produced entitlement to compensation. On this basis, taking account of all the indirect consequences, the estimates produced by the Beninese National Commission could perhaps be justified after more detailed study of the question in a much wider context.

(7) The second method, by contrast, is strictly limited to the most immediate concrete results of the event. The objection might certainly be made that there is no client/insurance company relationship in this case, and that such a narrow interpretation takes no account of the real nature of the problem. However, we are completely outside the political arena, and it seems to have been solely because of our professional qualifications (relating solely to the insurance field) that the United Nations entrusted us with this mission. We have therefore been obliged to opt for the second method, and the present report must be read in this restricted context.

(8) The divergent estimates of the damages suffered by persons may also be due to various other causes, in particular the following:

(A) Evaluation of the anticipated needs of the victim and/or the victim's dependants, or of the anticipated income which the victim could have received if unaffected. The second point of view certainly gives more accurate results.

(B) Assessment of the degree of partial permanent disability, which is obviously defined more strictly by insurance companies than by laymen.

(C) The choice of the rate of compound interest in calculating the present value of life disability pensions. In the present assessment, we have used the rate of 4.5 per cent, which is that currently used in the insurance world to calculate life pensions.

(D) The extent to which the evaluation is based on the fundamental principle of damages insurance, namely, that the compensation must provide exact restoration of the position before the accident, without providing any improvement or extra benefit for the insured person.

III. DEATHS

(9) In the letter of 4 April referred to in paragraph 3 above, mention is made of six dead and one missing person. Subsequently, another name was added - Mr. F. Talon, who died on 14 April as a result of the delayed explosion of a bomb which had remained unexploded at Cotonou airport. To our knowledge, no proof has been advanced that the missing person was in fact a "victim" of the aggression, and we must therefore remove his name from the list of victims.

(10) On the basis of the documents and certificates provided by the Beninese National Commission, we have therefore retained the cases of seven deceased persons, including one civilian. In our evaluation of the compensation due in respect of the seven deaths, account has been taken of the age, present income, reasonable

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future income expectations, probable life expectancy of each victim, the "pretium doloris" due to families, etc.

IV. WOUNDED PERSONS

(11) The aforementioned letter of 4 April gives a total of 51 wounded, including a United Nations expert. As this expert was treated according to United Nations procedures and at the Organization's expense, we can remove him from the list. This leaves 50 wounded, including 30 members of the armed forces and 20 civilians.

(12) In support of its evaluation relating to the wounded, the National Commission gave us:

(A) A file of medical certificates, some detailed and others in summary form, all dated 17 February 1977. These certificates were drawn up on the basis of the medical file opened on the day of the aggression, and describe the wounded person's state of health and the treatment given up to the date of leaving hospital, or until 17 February (at which date only two wounded persons were still being treated in hospital). On this occasion, we wish to express our fullest and most sincere appreciation of the completely scientific and detailed preparation of these certificates by the senior medical authorities in Benin.

(B) "Updated" lists dated 7 July, giving certain additional details, in particular certain cases of partial permanent disability. There was no medical certification accompanying these lists.

(13) On the basis of these documents, our assessment took account, in particular, of the cost of medical treatment (price of medicines used, hospital accommodation, fees of surgeons and physicians, etc.), the total number of days of temporary incapacity, damages/or the reduced earning potential of wounded persons suffering from partial permanent disability (there was no case of total permanent disability), and any other factors requiring compensation.

V. TOTAL EVALUATION

(14) Following this investigation, which was based solely on the documentation presented by the Beninese National Commission, and having regard to all the circumstances while remaining within the narrow context of damages insurance, we find 112 million CFA francs (one hundred and twelve million CFA francs) to be a reasonable figure for compensation in respect of damage suffered by persons as a result of the armed aggression at Cotonou on 16 January 1977.

(15) All details of our calculations, in support of this total evaluation, and the actuarial concepts on which they are based, are at the disposal of the Government of the People's Republic of Benin, which we thank sincerely for its courtesy and complete co-operation in the fulfilment of our mission.

Beirut, Lebanon, 30 August 1977.

(Signed) Marcel KHEIR

Annex 3

List of wounded following the aggression
of Sunday, 16 January 1977 against the
People's Republic of Benin

NO.	NAME AND GIVEN NAME	AGE	PROFESSION AND PLACE OF RESIDENCE	COMMENTS
1	<u>ALABI Bachirou</u>	40 years, born on 11 March 1937 at Porto Novo	Member of the Armed Forces, FAP; resident at Cotonou I, Cadjehoun	Medical certificate No. 77-27/CNHUC, dated 17 February 1977
2	<u>AKITOBAY Olanjonan</u>	22 years, born on 23 August 1955 at Cotonou	Artist; resident at Jonkey, chez Bidi, district representative	Medical certificate No. 77-32/CNHUC, dated 17 February 1977
3	<u>EDON Adyèmi Lucien</u>	21 years, born on 7 January 1956 at Niamey	Student; resident at Block 831, Sikécodji, Cotonou I	Medical certificate No. 77-26/CNHUC, dated 17 February 1977
4	<u>LAHAMI Sylvain</u>	39 years	Physical education teacher	Medical certificate No. 72-22/CNHUC, dated 17 February 1977
5	<u>HOUNKPATIN Appolinaire</u>	23 years, born about 1954 at Sakété	Soldier, 1st class, Camp Guézo, Cotonou	Medical certificate No. 77-24/CNHUC, dated 17 February 1977
6	<u>HOUNAKON Barnabé</u>	25 years, born about 1933 at Abomey	Chauffeur for BBD; resident at Houéyihou	Medical certificate No. 77-30/CNHUC, dated 17 February 1977
7	<u>DAVES Epiphane</u>	26 years	Member of Armed Forces, FAP, Policeman	Medical certificate No. 77-21/CNHUC, dated 17 February 1977
8	<u>CHALIA Akakpo Ibrahim</u>	38 years	Soldier	Medical certificate No. 77-28/CNHUC, dated 17 February 1977
9	<u>AHOUANMENOU Yves</u>	31 years, born on 11 March 1962 at Gbozoumè (Avrankou)	Apprentice mechanic; resident at Block 14, Cotonou II	Medical certificate No. 77-29/CNHUC.A, dated 17 February 1977
10	<u>KOSSOU Jeanne</u>	17 years	Pupil at Cotonou	Medical certificate No. 77-25/CNHUC.A dated 17 February 1977
11	<u>BOKO Comlan</u>	-	Soldier, 2nd class, Camp Guézo, Cotonou	Medical certificate No. 110/SA/DSS/FAP, dated 17 February 1977
12	<u>BELISLE Luc</u>	17 years, born 27 January 1958 at Québec	Student; resident at ORSS Residence, B.P. 2009, Cotonou I	Medical certificate No. 77-31/CNHUC.A, dated 17 February 1977

NO.	NAME AND GIVEN NAME	AGE	PROFESSION AND PLACE OF RESIDENCE	COMMENTS
13	<u>LAM Binh Thand</u>	55 years	UNDP, Cotonou. OBSS residence	Medical certificate No. 77-23/CRHUC-A, dated 17 February 1977
14	<u>BEGAN Hilaire</u>	15 years, born 14 January 1962 at Savé	Pupil at CEMG II at Parakou, B.P. 60; resident at Cadjèhoun	Medical certificate No. 77-43/CRHUC dated 17 February 1977
15	<u>ACCROMBESSI Louis</u>		Member of the Armed Forces, PAF, Policeman	Medical certificate No. 137/SA/DSS/FAP, dated 17 February 1977
16	<u>KEKEHUE Célestine</u>		Soldier, first class	Medical certificate No. 138/SA/DSS/FAP, dated 17 February 1977
17	<u>IROKPA Valentin</u>		Soldier, second class	Medical certificate No. 139/SA/DSS/FAP, dated 17 February 1977
18	<u>AMIDOU Kassim</u>		Soldier, second class, residing at Camp Guézo, Cotonou	Medical certificate No. 140/SA/DSS/FAP, dated 17 February 1977
19	<u>EDOH Francisca</u>	45 years old		Medical certificate No. 77-12/CRHUC, dated 17 February 1977
20	<u>TAMEGNON Bienvenu</u>	22 years old	Soldier, PAF	Medical certificate No. 77-44/CRHUC, dated 17 February 1977
21	<u>COREA Romuald</u>	Born 7-2-54 23 years old	Soldier, second class, Camp Guézo, Cotonou	Medical certificate No. 111/SA/DSS/FAP, dated 17 February 1977
22	<u>TCHOUEDJI Bernard</u>	Born about 1952 at Aplahoué	Soldier, second class	Medical certificate No. 113/SA/DSS/FAP, dated 17 February 1977
23	<u>SAMNI Mouftaou</u>		Soldier, second class	Medical certificate No. 114/SA/DSS/FAP, dated 17 February 1977
24	<u>MAKOU Pascal</u>	24 years old - born 5-2-53	Soldier, second class, residing at Camp Guézo	Medical certificate No. 115/SA/DSS/FAP, dated 17 February 1977

NO.	NAME AND GIVEN NAME	AGE	PROFESSION AND PLACE OF RESIDENCE	COMMENTS
25	<u>KOUDEROUKPO Francois</u>	Born about 1942 at Porto-Novo	Member of Armed Forces, FAP, Residing at Camp Escadrille Présidentiel, Cotonou, Camp Guézo	Medical certificate No. 116/SA/DSS/FAP, dated 17 February 1977
26	<u>TCHIBOZO Jean-Baptiste</u>		Corporal, FAP, Camp Guézo	Medical certificate No. 117/SA/DSS/FAP, dated 17 February 1977
27	<u>Da SILVA Aboudou</u>		Soldier, first class, Camp Guézo	Medical certificate No. 118/SA/DSS/FAP, dated 17 February 1977
28	<u>TOURE Alassane</u>		Sergeant, FAP, Camp Guézo	Medical certificate No. 119/SA/DSS/FAP, dated 17 February 1977
29	<u>GANSE Rémy</u>		Warrant Officer Class I, FAP, Camp Guézo	Medical certificate No. 120/SA/DSS/FAP, dated 17 February 1977
30	<u>AVOGBE Daniel</u>		Soldier, second class, Camp Guézo	Medical certificate No. 121/SA/DSS/FAP, dated 17 February 1977
31	<u>ILLIASSO Souaibou</u>	Born about 1952 at Kandi	Soldier, Camp Guézo	Medical certificate No. 122/SA/DSS/FAP, dated 17 February 1977
32	<u>TOVISSI Vincent</u>	Born about 1956 at Sakété	Soldier, second class, Camp Guézo	Medical certificate No. 123/SA/DSS/FAP, dated 17 February 1977
33	<u>AZANNAI Abel</u>	Born 8-7-58 at Cotonou	Soldier, Camp Guézo	Medical certificate No. 124/SA/DSS/FAP, dated 17 February 1977
34	<u>SANSOU Sanni</u>		Soldier, first class, Camp Guézo	Medical certificate No. 125/SA/DSS/FAP, dated 17 February 1977
35	<u>BIO Béni Ibrahim</u>	Born about 1958	Soldier, Camp Guézo	Medical certificate No. 126/SA/DSS/FAP, dated 17 February 1977
36	<u>SOUDO Idohou Rock</u>		Civilian employee of SONACEB, Cotonou	Medical certificate No. 128/SA/DSS/FAP, dated 17 February 1977

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NO.	NAME AND GIVEN NAME	AGE	PROFESSION AND PLACE OF RESIDENCE	COMMENTS
37	<u>HOUNTONDJI Delphin</u>	Born about 1939 at Niamey	Clerk at the Circonscription Médicale, Cotonou	Medical certificate No. 129/SA/DSS/FAP, dated 17 February 1977
38	<u>AMOUSSOU Antoine</u>		Soldier, second class, Camp Guézo	Medical certificate No. 133/SA/DSS/FAP, dated 17 February 1977
39	<u>Do CAMPOS Valérien</u>		Soldier, Camp Guézo	Medical certificate No. 134/SA/DSS/FAP, dated 17 February 1977
40	<u>AZORHIDE Emmanuel</u>		Soldier, first class, Camp Guézo, Cotonou	Medical certificate No. 136/SA/DSS/FAP, dated 17 February 1977
41	<u>YAOITCHA Yéhougnou</u>	Born about 1938	Sculptor living at Cotonou	No medical certificate
42	<u>OSSE Omonlars</u>	Born about 1962 at Sakété	Unemployed, residing at Cotonou	No medical certificate
43	<u>IKOUSSA Moucadassou</u>	Born 12-3-1961 at Cotonou	Student living at Cotonou	No medical certificate
44	<u>MEDESSOU Monlamè Jean</u>	Born about 1943 at Grand-Popo	Instructor at the former police headquarters, Porto-Novo	No medical certificate
45	<u>ADOGBAGBE Sylvain</u>	Born about 1951 at Grand-Popo	Electrical engineer at SOBETEX, Cotonou	No medical certificate
46	<u>CAPO-CHICHI Cyrilaque</u>	Born about 1949 at Savalou	Chauffeur at the Voice of the Revolution (ORFD), Cotonou	No medical certificate
47	<u>BABATOUNDE Mathias</u>	Born about 1933 at Abomey	Chauffeur at BRD, Cotonou	No medical certificate
48	<u>HOUNTCHEMOUN Jeanne</u>	Born 27-12-57 at Covè	Domestic servant residing at Cadjehoun, Cotonou	No medical certificate
49	<u>SODO Dohoun Tossé</u>	Born 11-3-49 at Abomey	Chauffeur at SONACEB, Cotonou	No medical certificate
50	<u>ABISSEKAN Lucien</u>		Soldier, second class, Camp Guézo, Cotonou	No medical certificate
51	<u>N'DIAYE Salifou</u>	Born 20-2-56	Member of the Armed Forces, FAP, Cotonou	No medical certificate

Enclosures: 40 medical certificates.

Annex 4

Summary of losses sustained by the People's Republic of Benin
as a result of the aggression of Sunday, 16 January 1977

1. Material damage to buildings:	225 544 625 CFA francs
2. Damage to equipment of the national security forces:	596 045 000 CFA francs
3. Damage to persons:	112 000 000 CFA francs
4. Losses in agricultural production:	4 563 928 000 CFA francs
5. Losses of the Société Beninoise d'Electricité et d'Eau:	312 000 000 CFA francs
6. Losses of civil aviation, the Office National du Tourisme et de l'Hôtellerie, and unforeseen public spending:	117 825 642 CFA francs
7. Losses of the Office beninois du Cinéma:	11 317 740 CFA francs
8. Losses of the public services:	953 406 720 CFA francs
9. Expenditure on security:	<u>102 621 143 CFA francs</u>
TOTAL	6 994 688 870 CFA francs
